



# MEMO ENDORSED

## THE CITY OF NEW YORK LAW DEPARTMENT

100 CHURCH STREET  
NEW YORK, NY 10007

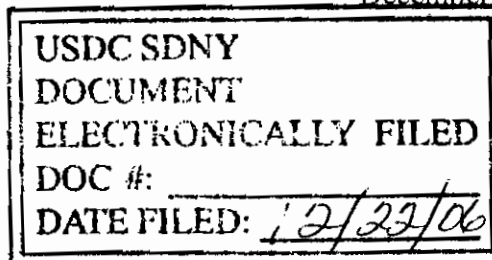
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December 21, 2006

### BY FAX

The Honorable James C. Francis IV  
United States Magistrate Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street - Room 1960  
New York, New York 10007-1312



Re: Coburn, et al. v. The City of New York, et al. (05 CV 7623 (KMK) (JCF))  
Phillips, et al. v. The City of New York, et al. (05 CV 7624 (KMK) (JCF))  
Sloan, et al. v. The City of New York, et al. (05 CV 7668 (KMK) (JCF))  
Galitzer, et al. v. The City of New York, et al. (05 CV 7669 (KMK) (JCF))  
Bastidas, et al. v. The City of New York, et al. (05 CV 7670 (KMK) (JCF))  
Carney, et al. v. The City of New York, et al. (05 CV 7672 (KMK) (JCF))  
Sikelianos, et al. v. The City of New York, et al. (05 CV 7673 (KMK) (JCF))

04 CIV 7922 LEAD CASE

DOCKET  
IN  
ALL  
CASES  
LISTED

Dear Judge Francis:

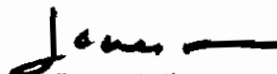
As we discussed briefly at the last status conference, plaintiffs' counsel in various cases (those captioned above and others) have noticed approximately 42 depositions of police officers since the Court's entry of Discovery Order #2. Since that time, defendants have proposed dates for the deposition of all of those officers. Defendants have proposed the depositions of multiple officers every week between now and the end of April (including multiple days for the depositions of chiefs) after taking into account the availability of counsel on both sides. After a good bit of back and forth between the parties, plaintiffs' counsel have confirmed most of the proposed dates for deposition (see Exhibit "A" attached hereto).

Plaintiffs' counsel in the above cases, however, are reluctant to agree to depositions on dates beyond the date currently set for the close of discovery in those cases. In those cases, discovery currently is set to close on April 1. Given the large number of depositions to be completed in those cases, and the difficulty of coordinating them given the number of interested counsel, defendants respectfully request permission to schedule the remaining deponents beyond April 1. This additional time will ease the burdens on all parties involved

(including other plaintiffs' counsel who may be interested in attending these numerous depositions).

I have consulted with Mr. Rothman earlier this afternoon and he has no objection to this request. If this meets with your approval, would you please "so order" it? Thank you.

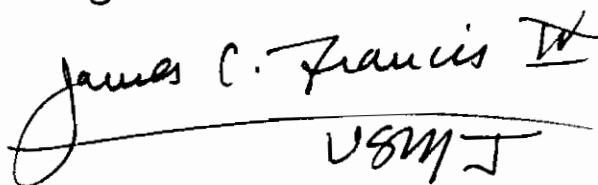
Very truly yours,

  
James Mirro

cc: Jeffrey A. Rothman, Esq. (by fax)

12/22/06  
Application granted with the understanding that this is not a general extension of the discovery deadline and does not affect any other deadlines in the scheduling order.

SO ORDERED.

James C. Francis Jr.  
  
USMJ